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SUBJECT: PST BAGHDAD: BAGHDAD PROVINCIAL COUNCIL DISPUTE
WITH BAGHDAD CITY COUNCIL

¶1. In a recent meeting, Provincial Council (PC) Deputy Chairman Mohan Al-Saidi commented that the PC is firmly committed to ensuring that the dissolved Baghdad City Council (BCC) not be reconstituted. The PC holds this position despite a recent court decision in the BCC's favor validating the right of the BCC to exist since the PC did not have the authority to dissolve the BCC in April 2005.

¶2. Mohan said he believes the BCC is a redundant layer of local government. Over the past 11 months, he said, Baghdad City has operated with greater efficiency without the BCC. He further asserted that the superior performance of the PC's Baghdad Essential Services Committee, which de facto has taken over the operations of the BCC, shows there is no need at all for the BCC.

¶3. Mohan noted that the PC, as a conciliatory gesture, would like to bring the members of the former BCC into the PC as subject matter advisors. Mohan further noted that the members of the BCC are Baghdad District Council members and still serve the public in their local positions, which according to him is what really matters.

¶4. Mohan made clear that the PC will work to prevent the BCC from reconstituting itself. The PC has already begun preparing its arguments for an appeal of the court decision, which favored the BCC. He claims that his position is the unified position of the PC leadership.

¶5. COMMENT: Mohan suggested that compromise is not a feasible option to resolve the PC-BCC legal dispute. Although he is willing to extend an olive branch to BCC members by offering them advisory positions within the PC, he is unwilling to entertain any scenario that would allow the BCC to reconstitute itself. It is likely that this inflexibility will lead to further conflict between the two councils and yet another round of protracted legal wrangling in the courts.

¶6. COMMENT CONT'D: The dispute between the BCC and the PC is highly visible because it involves a court case, but another such dispute exists between the PC and the Baghdad Regional Council (RC), another institution created by the former Coalition Provisional Authority (CPA). Past comments by PC members indicate that they also consider the RC redundant and that it should be dissolved. Taken together, these disputes indicate a growing and perhaps irreconcilable conflict between the independent and locally selected bodies created by the CPA and the largely partisan bodies elected during the January 2005 national and provincial elections. END COMMENT.

KHALILZAD